

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

Belton BRABHAM,

Defendant.

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MEMORANDUM & ORDER

Case No. 1:18-cr-00186-FB-1

Appearances:

For the Plaintiff:

RICHARD P. DONOGHUE, ESQ.

United States Attorney

Eastern District of New York

By: JAMES P. MCDONALD, ESQ.

Assistant United States Attorney

271 Cadman Plaza East

Brooklyn, NY 11201

For the Defendants:

FEDERAL DEFENDERS OF

NEW YORK, INC.

By: JAN A. ROSTAL, ESQ.

ASHLEY M. BURRELL, ESQ.

One Pierrepont Plaza, 16th Floor

Brooklyn, NY 11201

BLOCK, Senior District Judge:

Defendant Belton Brabham has moved to suppress the firearm that was found on his person by Detective James Harkins, as well as statements that Brabham made to law enforcement following his arrest, because they are the fruits of an illegal search and seizure.

A hearing was held on Mr. Brabham's suppression motion on March 14, 2019. At the hearing, the government presented testimony from Detective Harkins. The Court finds Detective Harkins' testimony credible and concludes that he had probable cause to arrest Mr. Brabham.

Brabham's motion to suppress is, therefore, denied.

SO ORDERED.

/s/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

March 18, 2019
Brooklyn, New York